BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date:	April 2	<u>0, 2005</u>		_	Division:	Grov	vth Management	
Bulk Item:	Yes	_X	No	<u></u>	Department:	_Plan	ning	
					Staff Contact	t Person	: K. Marlene Conaway	
AGENDA IT one dwelling Harbor, Duck	unit on o	RDING	: Approval fo ous lots descr	r one Restr ibed as Lo	ictive Covenan is 8, 9 & 12 I	t from D Block 5,	Pavid B. & Debbie J.S. Nelson to ha Center Island Section 2 Part 1 To	 iv€ om
applicants list J.S. Nelson su	ed below ubmitted	provide the Res	ed the applicate trictive Cover	nts' Restric	tive Covenant in 170e County. T	is approv he appli	approved an allocation award for yed by the BOCC. David B. & Deb cants are receiving one dwelling un accordance with Ordinance No.	bie mi
PREVIOUS 1999.	RELEVA	ANT BO	OARD ACTI	ON: On N	ovember 11, 1	999, the	BOCC adopted Ordinance No. 0	 47
CONTRACT	'/AGREI	EMENI	CHANGES:	N/A.				
STAFF REC	OMMEN	NDATIO	ON: Approval	•				
TOTAL CO	OST:	X			BUD	GETE	D: Yes <u>N/A</u> No	
COST TO	COUNT	Y:	N/A		SOU	RCE O	F FUNDS: N/A	
REVENUE	PRODU	CING	: Yes <u>N/A</u>	_ No	_ AMOUN	T PER	MONTH_N/A Year	
APPROVE	D BY:	Coun	y Atty X	OMB/Pu	rchasing N/A		Risk Management N/A	
DIVISION	DIRECT	ГOR A	PPROVAL:		- Olish	hy Mo	Garry, AJCP	
DOCUMEN	NTATIO	N:	Included _	<u>X</u>	Not Requir	red	_	
DISPOSITI	ON:					AGF	ENDA ITEM #	

MEMORANDUM

TO::

Danny Kolhage, Clerk of the Court

FROM:

Timothy J. McGarry, Growth Management Director

DATE:

April 20, 2005

RE:

Clarification of Agenda Item

Restrictive Covenant

Permit	Name on	Name on	Legal Description
Number	Agenda Item	Restrictive Covenant	
03-2-2508	David B. & Debbie J.S. Nelson	David B. & Debbie J.S. Nelson	Lots 8, 9 & 12 Block 5, Center Island SEcton 2 Part 1 Tom Harbor, Duck Key

Lot Aggregation Restrictive Covenant

1. WHEREAS, <u>David B. and Debbie J.S. Nelson</u>, a married couple, the undersigned are the sole owners of the following described real property located in Monroe County, Florida described as follows:

Lot(s) 8, 9 and 12 Block 5

Subdivision: Center Island, Section 2, Part 1, Toms Harbor

Key <u>Duck</u> PB: <u>5-82</u>

Real Estate #(s) 00380100.000000, 00380110.000000, 00380140.000000 and

- 2. WHEREAS, this Lot Aggregation Restrictive Covenant that restricts the use of the legally described property in order to receive a building permit; and
- 3. WHEREAS, the above described parcel(s) was assigned additional points in the Permit Allocation System for building permit # 03-2-2508 for the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots.
- 4. NOW, THEREFORE, the undersigned agree as follows:
 - The above described parcel(s) shall have its density reduced from three dwelling units to one dwelling unit in consideration of a building permit to build a single family residence; and
 - The restrictions herein shall be binding upon the representatives, heirs, assigns and successors in title of the undersigned; it being the intention if the undersigned by execution and recording of this document that this restriction shall run with the land and shall be forever binding upon the successors in title; and
 - This covenant is intended to benefit and run in favor the of the County of Monroe; and

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County may enforce the covenant by injunction or such other legal method, as the County deems appropriate. Executed on this //// day of MASCH OWNER OR OWNERS (Signature) David Nelson 7100 Glenwood Street Duluth, Minnesota 55804 (Signature) Debbie Nelson WITNESSES 7100 Glenwood Street Duluth, Minnesota 55804 ty U. Williams HY A. WILLIAMS (Print / Type Name) (Signature) STATE OF FLORIDA COUNTY OF MONROE The foregoing instrument was acknowledged before me this / day of Men who is/are personally known to me or as proof of identification and did take an oath. produced DAWN M. PETERS Notary Public - State of Florida My Commission Expires Dec 8, 2008 Commission # DD 377973 Notary Public (Signature) Bonded By National Notary Assn This instrument was prepared by: MONROE COUNTY ATTORNEY APPROVED AS TO FORM David & Debbie Nelson 7100 Glenwood Street

In the event of any breach or violation of the covenant contained herein, the said

Lot Aggregation Restrictive Covenant RE: 00380100.000000, 00380110.000000, 00380140.000000

Duluth, Minnesota 55804